

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

PATRICIA KAMMEYER, <u>et al.</u>	:	
	:	NO. 1:01-CV-00649
Plaintiffs,	:	
	:	<b>ORDER</b>
	:	
v.	:	
	:	
	:	
CITY OF SHARONVILLE, OHIO, <u>et</u>	:	
<u>al.</u> ,	:	
	:	
Defendants.	:	

Before the Court is the Plaintiffs' Motion for a Protective Order to Exclude the Public From Certain Portions of the Trial of this Case and Memorandum in Support (doc. 263). At the Status Conference held in this matter on April 12, 2005, the Court discussed Plaintiffs' Motion with both Parties. The Court indicated at the Conference that it would deny Plaintiffs' Motion and allow the trial to proceed fully open to the public.

The Court has subsequent to the April 12, 2005 Status Conference reflected further on the Plaintiffs' Motion. The Court appreciates Plaintiffs' concerns regarding the successful prosecution of Albert Schuholz (hereinafter "Schuholz") and the need to protect testimony and documents from public disclosure which would jeopardize said prosecution. The person best positioned to know what testimony and documentary evidence would jeopardize the prosecution of Schuholz is the Hamilton County, Ohio

Prosecutor (hereinafter "Prosecutor").

As such the Court invites the Prosecutor, as a friend of the Court, to assist in this endeavor. The Court requests that counsel for both Parties consult with the Prosecutor to develop a workable procedure to accomplish the identification of testimony and documentary evidence that should not be publicly disclosed. Such solution could involve the Prosecutor assisting the Court at trial in handling issues on evidentiary matters (i.e., evidence that could jeopardize the prosecution of Schuhholz). The Parties should notify the Court as quickly as possible of any proposed solution.

SO ORDERED.

Dated: April 27, 2005

s/S. Arthur Spiegel

S. Arthur Spiegel  
United States Senior District Judge